



FEMA

May 14, 2009

The Honorable Christopher J. Lee
United States Congressman
26th District, New York
325 Essjay Road,
Williamsville, NY 14221

Dear Representative Lee:

Thank you for your April 30, 2009 letter concerning the Town of Wheatfield's request for a 60-day extension to file their appeal of the Base Flood Elevations (BFEs) shown on the preliminary Flood Insurance Rate Map.

We can provide additional time for the Town of Wheatfield to submit supporting data for an appeal. I will grant the Town of Wheatfield – and Niagara County – an extra 60 days to submit supporting data for an appeal; we cannot, by law, extend the appeals period. We request, though, that you coordinate with the Town, advising them that they must first file an appeal before the end of the appeal period, which is May 16, 2009, as your letter notes.

Any such data submitted will be accepted if it is provided before July 15, 2009. Valid appeals must be based on information demonstrating that the flood elevations proposed by FEMA are scientifically or technically incorrect. However, FEMA will consider all information submitted, even if it cannot be handled as a formal appeal.

Your letter said that there were delays in the Town receiving addresses of homes removed from the flood zone. FEMA has neither the funding, local tax maps, nor the human resources to include addresses of individual homes removed from or added to flood zones.

The Light Detection and Ranging (LiDAR) mapping method we use is the most accurate, most economical, and quickest mapping tool available for large-scale areas, such as the counties we map in Region II. There are other methods that can produce property-specific elevation information to supplement the information FEMA collects. The house-by-house survey data provided by the Town of Wheatfield is an example of such information.

*Congressman Lee,
As per our phone conversation this
afternoon, I look forward to receiving
a letter of appeal tomorrow from
Wheatfield, Lockport + Pendleton.
We will provide the criteria
information for homes
in or out of the
flood zone.*

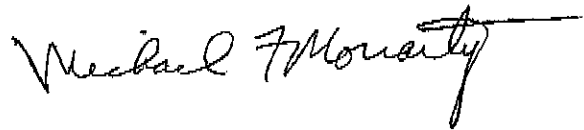
*Please call
at anytime
212 680-3612
M7M*

However, for large-scale mapping efforts, it would be exorbitantly expensive and impractically time-consuming for FEMA to collect house-by-house survey data. Utilizing cost estimates for Niagara County, mapping New York State with this method would cost some \$800 million and take decades to complete.

The need to conduct a mapping process that is open and allows for input from communities is one of the reasons we first issue a preliminary map and one of the reasons we provide the 90-day appeals period for communities and residents to file appeals. Communities also have the right, at any time, to submit data that would improve the flood hazard information shown on the maps we develop.

We hope this meets your goals for your 26th District constituents.

Sincerely,

A handwritten signature in black ink, reading "Michael F. Moriarty". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Michael F. Moriarty
Acting Regional Administrator

Cc: Nancy Ward